

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal Case No. 2:06-mj-39-SRW-3
)	
CARLOS SOLANO-OLASCOAGA,)	

MOTION FOR LEAVE TO SUBSTITUTE COUNSEL AT INITIAL APPEARANCE

COMES NOW Defendant, by and through counsel, and prays that this Court will excuse him from appearing at the initial appearance of Defendant before this Honorable Court, and as grounds would show as follows:

1. At the moment that Defendant's counsel accepted referral of this case from the Federal Defender he did not have access to his calendar.
2. That calendar would have shown counsel that he is scheduled to be in depositions in Stevenson, Alabama, on 4/24/06 and 4/25/06, in a civil case presently pending in the Northern District of Alabama.
3. The undersigned counsel has discussed this matter with Richard Keith, a CJA panel member who is also scheduled to represent a defendant before this Court at the same time and in the same case. Mr. Keith has agreed, pending the approval of the Court, to substitute for the undersigned solely for the purpose of the initial appearance in this case.
4. While the undersigned counsel has not had an opportunity to discuss this matter with his client, he has discussed this matter with Ms. Beverly Childress, who has agreed to provide translation services to the client, pending the approval of the Court (motion to employ interpreter filed contemporaneously herewith), and she has agreed to an initial meeting with counsel and client on Wednesday, April 23rd.

WHEREFORE, the premises considered, Defendant prays that the Court will grant counsel's motion for leave to be absent from the initial appearance of Defendant and to permit Richard Keith to substitute for him at that proceeding.

RESPECTFULLY SUBMITTED, this __22nd__ day of April, 2006.

/s/ JAY LEWIS
Jay Lewis
Law Offices of Jay Lewis, L.L.C.
P.O. Box 5059
Montgomery, Alabama 36103
(334) 263-7733 (Voice)
(334) 832-4390 (Fax)
J-Lewis@JayLewisLaw.com
ASB-2014-E66J
Counsel for Defendant Solano-Olascoaga

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served on the following parties or attorneys by filing the same with the Clerk via the CM/ECF system, by hand delivery or by placing a copy of the same in the United States mail, properly addressed and first class postage prepaid on this __22nd__ day of April, 2006.

Hon. Terry Moorner
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, AL 36104

/s/ JAY LEWIS
Jay Lewis
Law Offices of Jay Lewis, L.L.C.
P.O. Box 5059
Montgomery, Alabama 36103
(334) 263-7733 (Voice)
(334) 832-4390 (Fax)
J-Lewis@JayLewisLaw.com
ASB-2014-E66J
Counsel for Plaintiff